

**UNITED STATES DISTRICT COURT**  
for the  
Western District of Texas

**FILED**

October 17, 2024  
CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

United States of America  
v.  
Alex Carbajal

BY: Erika Gonzalez  
DEPUTY

Case No. **EP-24-M-4342-RFC**

\_\_\_\_\_  
*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 27, 2024 in the county of El Paso in the  
Western District of Texas, the defendant(s) violated:

*Code Section*

Title 18, United States Code,  
Section(s) 751(a)

*Offense Description*

Unlawfully escaped from the custody of the Bureau of Prisons where he was  
committed at the direction of the Attorney General pursuant to a Judgment  
and Commitment Order of the United States Western District of Texas.

This criminal complaint is based on these facts:

Please see the attached Affidavit.


☒ Continued on the attached sheet.

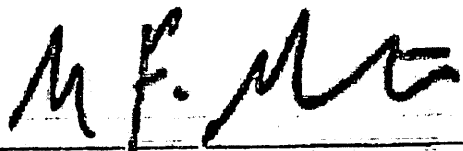
Complaint sworn to telephonically on  
October 17, 2024 at 08:46 AM and signed  
electronically. **FED.R.CRIM.P. 4.1(b)(2)(A)**

~~Sworn to before me and signed in my presence.~~

Date: 10/17/2024

City and state: El Paso, Texas

  
\_\_\_\_\_  
*Complainant's signature*  
Michaela Martch, Deputy United States Marshal  
\_\_\_\_\_  
*Printed name and title*

  
\_\_\_\_\_  
*Judge's signature*  
Honorable U.S. Magistrate Judge Robert Castaneda  
\_\_\_\_\_  
*Printed name and title*

## **AFFIDAVIT**

**United States of America**

**v.**

**Alex Carbajal**

### **INTRODUCTION**

1. I, Michaela Martch, am a Deputy United States Marshal (DUSM) and have been so employed for approximately 2 years, I am currently assigned to the El Paso, Texas office. As part of my responsibilities, I am authorized to enforce the laws of the United States of America, including but not limited to, investigations to locate and apprehend Federal, State, and local fugitives.
2. The Affidavit is made in support of a federal criminal complaint and arrest warrant for Alex CARBAJAL. It is based on observations, reports, and information provided to me by other law enforcement agents, government agencies and additional documents obtained throughout the investigation. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not purport to set forth all my knowledge or investigation into this matter.

### **PROBABLE CAUSE**

3. On September 27, 2024, I, Deputy U.S Marshal (DUSM) Michaela Martch, of the El Paso Division was notified of an escape from federal custody regarding Alex CARBAJAL. Preliminary details of the escape indicated that CARBAJAL had left the Dismas Charities halfway house without authorization. A copy of the Escape flyer was received on September 30, 2024, from the Federal Bureau of Prisons.
4. On November 2, 2023, CARBAJAL was sentenced on case 1:2019-CR-00005, out of the Northern District of Texas, to eighteen (18) months of imprisonment on count one that charges CARBAJAL with 18 U.S.C. 3583 – Supervised Release Violation. Upon release from imprisonment, CARBAJAL has no further supervision requirements.
5. On January 4, 2024, Alex Carbajal was transferred from the United States Bureau of Prisons at the Eden Detention Center to serve the remainder of his sentence of 113 days at Dismas Charities Comprehensive Sanctions Center located at 7011 Alameda, El Paso, Texas, an area within the Western District of Texas. Dismas Charities is a facility in which CARBAJAL was lawfully confined at the direction of the Attorney General of the United States by virtue of a judgment and commitment of the United States District Court for the Western District of Texas.
6. On August 1, 2024, Alex Carbajal signed an Acknowledgment of Custody form indicating he understood that “leaving” the Charities Comprehensive Sanctions Center without permission from the Center Director or his/her authorized representative, shall be deemed an escape from the custody of the Attorney General and/or that the “failure to

return to the Dismas Charities Comprehensive Sanctions Center within the time prescribed, shall be deemed an escape from the custody of the Attorney General of the United States."

7. Details of Escape: During routine dorm checks on or about September 22, 2024, CARBAJAL was checked for substance use and was found out to have ingested alcohol when he showed a positive breathalyzer reading of 0.075. On September 27, 2024, a transfer order was initiated by the Bureau of Prisons (BOP) to return CARBAJAL to back into custody at Otero County Prison Facility due to the use of alcohol. CARBAJAL is required to follow the rules of Dismas as part of his conditions to reside there—one of those rules being no use of illegal, or unauthorized, substances such as drugs or alcohol. Also on September 27, 2024, at approximately 3:16 PM, staff from Otero County Prison were present at the facility to pick up CARBAJAL as per the transfer order. CARBAJAL was escorted by Resident Monitor R. Brown and was instructed to report to the Central Monitoring Office (CMO). CARBAJAL walked into the CMO and was advised that he was to be taken into custody by Otero officers. While in the room, CARBAJAL noticed another inmate attempting to escape through the locked doors leading to the lobby area, so he turned back to the Otero officers and refused to go with them by saying that he wanted to leave too. A member of the Dismas staff told him that it would only be worse for him if he left. The Otero officers advised Dismas staff that they can't do anything about the fact that CARBAJAL wanted to leave, so they stood by as CARBAJAL walked out of the CMO. CARBAJAL then proceeded to the doors leading to the lobby and started pulling at the locked doors that had been previously broken by the other inmate. The shattered glass on the door was held in place by the wires running through it, but since the lock still held the door shut at the top, the door was slanted slightly open. CARBAJAL forced the doors apart further, crouched down, and squeezed through the small opening. CARBAJAL walked through the lobby, into the library and out of the library emergency exit doors and was seen heading east in the front parking lot. Based on this CARBAJAL was placed on Escape status. At the time of this writing, CARBAJAL has been taken into custody as of October 14, 2024, and booked into El Paso County Detention Facility to complete the remainder of his 18-month sentence.

8. Based on the foregoing, the Affiant believes there is probable cause that CARBAJAL violated Title 18, United States Code, Section 751(a) (Escape), and respectfully requests a Warrant of Arrest be issued for CARBAJAL for this offense.

9. Assistant United States Attorney Mallory Rasmussen is aware of this incident and authorized Federal Prosecution of CARBAJAL.

  
AFFIANT, Michaela March  
Deputy United States Marshal  
United States Marshals Service

10/16/2024  
Date